IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

-

WRIT PETITION NO : 9363 of 1997

Between:

M.Nageswara Rao, S/o. Chinna Rao,
Employee, Assistant Production Centre, Ravulapalem,
R/o.Ravulapalem, E.G.Dist.,

..... PETITIONER

AND

1 Secretary, East Godavari District Khadi & Rural Development Smastha,
Kakinada.
2 K.Hanumantha Rao, S/o Veera Swamy,
Chebrolu, Gollaprolu Mandalam, E.G.Dist.,
3 R.Nagendra Rao, S/o.Venkata Narasaiah,
Torrangi, Kakinada, E.G.Dist.,

4. The Chief Executive Officer and Director,

Khadi & Village Industries Commission, Gramodaya,

Irla Road, Ville Parle (W), Bombay (Mumbai).

5. The Chief Executive Officer and Director,

Khadi & Village Industries Commission, Gandhi Bhavan,

M.J. Road, Hyderabad.
6 The District Collector, East Godavari District,
Kakinada.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, order or direction more particularly in the nature of writ of Mandamus declaring the present executive body of the first respondent-Samtha is void and cancelled directing the first respondent to supply the material to all the units of Samstha and payment of salaries and wages to the employees and workers of Samstha, to appoint a receiver directing him to take charge of properties of Samstha and to conduct the elections of the Managing Committee of the 3rd respondent Samstha and to manage administer the activities of the Samstha till such Managing Committee is elected.

Counsel for the Petitioner: Mr.A.V.Sarma

Counsel for the Respondents1 to 3: Mr.C.V. Mohan Reddy

Counsel for the Respondent No.6: G.P. for Revenue

Counsel for the Respondent No.5: Mr.S.Srinivasa Reddy

The Court made the following:

ORDER:

The writ petition is filed seeking a Writ of Mandamus declaring the present Executive body of the first respondent Samstha as void, directing the first respondent to supply the material to all the units of Samstha, to pay salaries and wages to the employees and workers of Samstha, to appoint a receiver directing him to take charge of properties of Samstha, to conduct the elections of the Managing Committee of the third respondent Samstha and to manage and administer the activities of the Samstha till such Managing Committee is elected.

As can be seen from the averments made in the affidavit, the term had elapsed long back. In view of the same,
no furthers orders are required to be passed in the present writ petition. However, liberty is given to the writ petitioner to question the same, if, he is so advised, impleading the present parties in the light of the subsequent events, if any.

Accordingly, the writ petition is disposed of. No order as to costs.

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P.S. NARAYANA, J

23rd February, 2005

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Secretary, East Godavari District Khadi & Rural Development Smastha,
Kakinada.

2. The Chief Executive Officer and Director,

Khadi & Village Industries Commission, Gramodaya,

Irla Road, Ville Parle (W), Bombay (Mumbai).

3. The Chief Executive Officer and Director,

Khadi & Village Industries Commission, Gandhi Bhavan,

M.J. Road, Hyderabad.

4. The District Collector, East Godavari District,
Kakinada.

5. Two CD copies